IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

     Bezos, Jeffrey

Application No.: 09/437815

Filed: November 10, 1999

For: METHOD AND SYSTEM FOR
ALLOCATING DISPLAY SPACE

Customer No.: 20350

Confirmation No. 8505

Examiner: Jeffrey D. Carlson

Technology Center/Art Unit: 3622

AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

        In response to the **Notice of Non-Compliant Amendment** mailed August 8,

2008, please enter the following amendments and remarks:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this
paper.

Remarks/Arguments begin on page 13 of this paper.

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Amendments to the Claims:

This listing of claims will replace all prior versions, and listings of claims in the application:

Listing of Claims:

1.   (Currently Amended) A method in a computer system for allocating display space on a web page instances, the method comprising:

receiving multiple bids each indicating a bid amount, an advertisement, and a requested number of web page pages instances on which the advertisement is to be placed during a time period;

receiving a request to provide the a web page instance to a user, the web page instance including a display space slot for displaying a single advertisement;

selecting, based at least in part on review of bid amounts and on a likelihood that the advertisement will be placed on the requested number of web page pages instances during the time period, a received bid whose bid amount is not the highest of the bids whose advertisement is eligible to be placed in the display space slot of the web page instance; and

adding the advertisement of the selected bid to the display space slot of the web page instance; and

charging the source of the selected bid the amount indicated by the selected bid.

2.   (Original) The method of claim 1 wherein the selecting of a received bid is performed after receiving of the request.

3.   (Original) The method of claim 1 wherein the selecting of the received bid is based at least in part on demographics of the user.

4.   (Original) The method of claim 1 wherein the selecting of the received bid is based at least in part on time at which the request is received.

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5.   (Currently Amended) The method of claim 1 wherein the selecting of the received bid is based at least in part on a category to which the web page <u>instance</u> relates.

6.   (Cancelled)

7.   (Original) The method of claim 1 wherein the bid amount is based on points received for participating in a commercial transaction.

8.   (Original) The method of claim 7 wherein the commercial transaction is an auction.

9.   (Currently Amended) The method of claim 1 wherein the bid amount is based on points received for clicking through one web page <u>instance</u> to <u>an instance of</u> another web page.

Claims 10-30. (Cancelled)

31.   (Previously Presented) The method of claim 1 including allocating points to users based on results of participation in transactions and wherein a bid amount indicates a number of allocated points.

32.   (Previously Presented) The method of claim 31 wherein the transaction is an auction.

33.   (Previously Presented) The method of claim 32 wherein the participation is listing of an item to be auctioned.

34.   (Previously Presented) The method of claim 32 wherein the participation is placing a bid on an item.

35.   (Previously Presented) The method of claim 32 wherein the participation is purchasing the item.

36.   (Currently Amended) The method of claim 31 wherein the participation is providing a web page _instance_ through which a person selects another web page _instance_.

Claims 37-40. (Cancelled)

41.   (Previously Presented) The method of claim 31 wherein a bid is received from a software component that identifies an advertising strategy for the user.

42.   (Previously Presented) The method of claim 41 wherein the advertising strategy is based at least in part on access patterns of users to categories with which display space slot is associated.

43.   (Previously Presented) The method of claim 41 wherein the advertising strategy is based at least in part on similarity of an item being advertised to a category with which the display space slot is associated.

44.   (Previously Presented) The method of claim 41 wherein the advertising strategy is based at least in part on whether an item being advertised competes with an item associated with the display space.

45.   (Currently Amended) A computer system for allocating advertising space slots of display page ~~pages~~ instances, comprising:

    a database for storing bids _each_ indicating bid amount, an advertisement, and display page eligibility;

    a component that receives a request to allocate an advertisement for an advertising space slot of a display page _instance_;

    a component that selects a bid based on bid amount and display page eligibility stored in the database, wherein the selected bid does not have the highest bid amount of those bids whose advertisement is eligible to be displayed in the advertising space slot of the display page _instance_ to maximize overall revenue received from placement of advertisements;

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a component that charges the source of the selected bid the amount indicated by the selected bid; and

a component that indicates that the advertisement of the selected bid is being allocated to the advertising space slot of the display page instance, so that the advertisement of the selected bid is displayed within the advertising space slot of the display space page instance.

46   (Previously Presented) The computer system of claim 45 wherein the selecting of a bid is performed after receiving of the request.

47.   (Previously Presented) The computer system of claim 45 wherein the display page eligibility is based in part on demographics of the user.

48.   (Previously Presented) The computer system of claim 45 wherein the display page eligibility is based in part on time at which the request is received.

49.   (Previously Presented) The computer system of claim 45 wherein the display page eligibility is based in part on a category to which the display page relates.

50.   (Previously Presented) The computer system of claim 45 including associated with each bid a requested number of advertisements to be placed within a specified time period, and wherein bids are selected in part on a likelihood that the requested number of advertisements associated with the bid will be placed within a specified time period.

51.   (Previously Presented) The computer system of claim 45 wherein the bid amount is based on points received for participating in a commercial transaction.

52.   (Previously Presented) The computer system of claim 51 wherein the commercial transaction is an auction.

53.   (Currently Amended) The computer system of claim 45 wherein the bid amount is based on points received for clicking through one display page instance to an instance of another display page.

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54.   (Previously Presented) The computer system of claim 45 wherein the bid amount varies based on degree to which the display page matches the display page eligibility.

55.   (Previously Presented) The computer system of claim 45 wherein advertising space slots are auctioned to bidders.

Claims 56-74. (Cancelled)

75.   (Currently Amended) A method in a computer system for allocating a display space slot of [[a]] web page instances, the method comprising:

providing a plurality of advertising plans, each advertising plan having a bid amount, an advertisement, and a specification of a display space slot to which the advertisement is to be allocated;

receiving a request to select an advertisement for a display space slot of a web page instance;

identifying advertising plans whose specification of display space slots match the display space slot of the web page instance; and

selecting an identified advertising plan whose advertisement is to be displayed on the display space slot of the web page instance and whose bid amount is not the highest bid amount of the identified advertising plans and charging the source of the selected advertising plan the bid amount associated with the selected advertising plan, wherein selecting such an identified advertising plan tends to increase overall advertising revenue, so that the advertisement of the selected advertising plan is displayed as the only advertisement within the display space slot of the web page instance.

76.   (Previously Presented) The method of claim 75 wherein each advertising plan has an end time and a requested number of advertisement placements and wherein the selecting selects an advertisement plan with a lower bid amount that is near its end time rather than an advertisement plan with a higher bid amount that is not as near its end time.

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77.   (Currently Amended) The method of claim 76 wherein each advertising plan includes a requested number of web page ~~pages~~ instances on which to place advertisements and wherein the selecting factors in the number of the requested number of web page ~~pages~~ instances on which advertisements have been placed.

78.   (Previously Presented) The method of claim 75 including dynamically generating a normalized bid amount for at least some of the advertising plans and wherein the selecting selects the identified advertising plan with the highest normalized bid amount.

79.   (Currently Amended) The method of claim 78 wherein the normalized bid amount for an advertising plan factors in the likelihood that the advertisement will be included on a requested number of web page ~~pages~~ instances.

80.   (Currently Amended) The method of claim 75 wherein the identifying of the advertising plans is based at least in part on demographics of a user requesting the web page instance.

81.   (Currently Amended) The method of claim 75 wherein the identifying of the advertising plans is based at least in part on a category to which the web page instance relates.

82.   (Previously Presented) The method of claim 75 wherein a bid amount is based on points received for participating in a commercial transaction.

83.   (Previously Presented) The method of claim 82 wherein the commercial transaction is an auction.

84.   (Previously Presented) The method of claim 83 wherein the participation is a listing of an item to be auctioned.

85.   (Previously Presented) The method of claim 83 wherein the participation is bidding at the auction.

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86.   (Previously Presented) The method of claim 83 wherein the participation is placing the winning bid at the auction.

87.   (Previously Presented) The method of claim 75 wherein an advertising plan is received from a software component that identifies an advertising strategy.

88.   (Previously Presented) The method of claim 87 wherein the advertising strategy is based at least in part access patterns of users to categories with which the display space slot is associated.

89.   (Previously Presented) The method of claim 87 wherein the advertising strategy is based at least in part on similarity of an item being advertised to a category with which the display space slot is associated.

90.   (Previously Presented) The method of claim 87 wherein the advertising strategy is based at least in part on whether an item being advertised competes with an item associated with the display space slot.

91.   (Currently Amended) A computer system for allocating display space on [[a]] display page instances, comprising:

a component that provides a plurality of advertising plans, each advertising plan with a bid amount;

receiving a request to select an advertisement for a display space of the display page instance;

identifying advertising plans whose advertisements can be placed on the display space of the web page display page instance; and

selecting an identified advertising plan whose advertisement is to be displayed on the display space of the display page instance and whose bid amount is not the highest bid amount of the identified advertising plans wherein selecting such an identified advertising plan tends to increase overall advertising revenue; and

charging the source of the selected advertising plan the bid amount associated with the selected advertising plan, so that the advertisement of the selected advertising plan is displayed on the display space of the display page instance.

92.   (Previously Presented) The computer system of claim 91 wherein each advertising plan has an end time and a requested number of advertisement placements and wherein the selecting selects an advertisement plan with a lower bid amount that is near its end time rather than an advertisement plan with a higher bid amount that is not as near its end time.

93.   (Currently Amended) The computer system of claim 92 wherein each advertising plan includes a requested number of display page pages instances on which to place advertisements and wherein the selecting factors in the number of the requested number of display page pages instances on which advertisements have been placed.

94.   (Previously Presented) The computer system of claim 91 including generating a normalized bid amount for at least some of the identified advertising plans and wherein the selecting selects the identified advertising plan with the highest normalized bid amount.

95.   (Previously Presented) The computer system of claim 94 wherein the normalized bid amount is generated dynamically.

96.   (Currently Amended) The computer system of claim 94 wherein the normalized bid amount for an advertising plan factors in the likelihood that the advertisement will be included on a requested number of display page pages instances.

97.   (Previously Presented) The computer system of claim 91 wherein an advertising plan is received from a software component that identifies an advertising strategy.

98.   (Previously Presented) The computer system of claim 97 wherein the advertising strategy is based at least in part on access patterns of users to categories with which display space is associated.

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99.   (Previously Presented) The computer system of claim 97 wherein the advertising strategy is based at least in part on similarity of an item being advertised to a category with which the display space is associated.

100.   (Previously Presented) The computer system of claim 97 wherein the advertising strategy is based at least in part on whether an item being advertised competes with an item associated with the display space.

101.   (Currently Amended) A method in a computer system for selecting advertisements for placement on web page ~~pages~~ instances, the method comprising:

providing advertising plans, each advertising plan including an amount that is a bid amount, an advertisement, and a requested number of web page ~~pages~~ instances on which the advertisement is to be placed during a time period;

for each advertising plan, tracking a placed number of times its advertisement has been selected for placement on a web page instance during its time period;

receiving a request for an advertisement to be placed in a display slot of a web page instance that has been requested by a user; and

upon receiving the request,

identifying provided advertising plans whose advertisements are eligible to be placed in the display ~~space~~ slot of the web page instance;

for each eligible advertising plan, determining a likelihood that its advertisement will be placed on the requested number of web page ~~pages~~ instances based on the placed number and the time remaining in its time period;

selecting an eligible advertising plan whose determined likelihood is less than the likelihood of another advertising plan and whose amount is lower than the amount of the other advertising plan;

charging the source of the selected advertising plan the amount of the selected advertising plan; and

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sending an indication of the advertisement of the selected advertising plan as a response to the received request, so that the advertisement of the selected advertising plan can be displayed in the display space slot of the web page <u>instance</u> that has been requested by a user.

102.   (Currently Amended) A method in a computer system for allocating display space on [[a]] web page <u>instances</u>, the method comprising:

providing bids from advertisers <u>each bid</u> indicating a bid amount and an advertisement;

receiving a request to provide ~~the~~ <u>a</u> web page <u>instance</u> to a user, the web page <u>instance</u> including a display space slot;

generating normalized bid amounts for the provided bids <u>whose advertisements are eligible to be placed on the web page instance</u> wherein placing the advertisement of the bid with the highest normalized bid amount in the display space slot of the web page <u>instance</u> is anticipated to maximize revenue; ~~and~~

placing the advertisement of the bid with the highest normalized bid amount in the display space slot of the web page <u>instance</u> wherein the bid with the highest normalized bid is not the bid with the highest bid amount<u>; and</u>

<u>charging the source of the bid with the highest normalized bid amount the amount indicated by the bid with the highest normalized bid amount.</u>

103.   (Currently Amended) A method of claim 101 wherein the web page <u>instance</u> includes multiple display slots and advertisements are added to the display space slots of the web page <u>instance</u> based on the normalized bid amounts.

104.   (Currently Amended) A method of claim 101 wherein a <u>provided</u> ~~provide~~ bid includes a requested number of web <u>page</u> ~~pages~~ <u>instances</u> on which the advertisement is to be <u>placed</u> ~~place~~ during a time period and the normalized bid amount for a bid is generated based on the bid amount and likelihood that the advertisement will be placed on the requested number of web <u>page</u> ~~pages~~ <u>instances</u> during the time period.

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105.   (Currently Amended) A method of claim 101 including identifying candidate bids that are eligible to have their advertisements placed in the display slot of the web page instance and generating a normalized bid amount for the candidate bids.

106.   (Cancelled)

REMARKS/ARGUMENTS

This Amendment is in response to the **Notice of Non-Compliant Amendment** mailed August 8, 2008. As the Amendment previously filed on May 1, 2008, was not entered, the present Amendment replaces the previously filed Amendment and is responsive to the Office Action mailed February 11, 2008.

Claim 106 is canceled in the present Amendment, such that claims 1-5, 7-9, 31-36, 41-55, and 75-105 are pending in the present application. Claims 1-5, 45-50, 55, 75-81, 87-89, 91-99, 101, 102, and 104-106 are rejected under 35 U.S.C. §102(e) as allegedly being anticipated by *Roth* (US 6,285,987) or in the alternative under 35 U.S.C. §103(a) as allegedly being obvious over *Roth*. Claims 7, 8, 31-35, 41-43, 51, 52, and 82-86 are rejected under 35 U.S.C. §103(a) as allegedly being obvious over *Roth* in view of *Copple* (US 6,178,408). Claims 9 and 53 are rejected under 35 U.S.C. §103(a) as allegedly being obvious over *Roth* and *Copple* in view of *Goldhaber* (US 5,794,210). Claims 44, 90, and 100 are rejected under 35 U.S.C. §103(a) as allegedly being obvious over *Roth* and *Copple* in view of *Bates* (US 6,339,438). Claim 36 is rejected under 35 U.S.C. §103(a) as allegedly being obvious over *Roth* and *Copple* in view of *Tulskie* (US 6,249,768). Claim 54 is rejected under 35 U.S.C. §103(a) as allegedly being obvious over *Roth* and *Copple* in view of *Eldering* (US 6,324,519).

Claims 1-5, 45-50, 55, 75-81, 87-89, 91-99, and 101-106 are alternatively rejected under 35 U.S.C. §103(a) as allegedly being obvious over *Roth* in view of *Davis* (US 6,269,361). Claims 7, 8, 31-35, 41-43, 51, 52, and 82-86 are alternatively rejected under 35 U.S.C. §103(a) as allegedly being obvious over *Roth* and *Davis* and further in view of *Copple*. Claims 9 and 53 are alternatively rejected under 35 U.S.C. §103(a) as allegedly being obvious over *Roth*, *Davis*, and *Copple* in view of *Goldhaber*. Claims 44, 90, and 100 are rejected under 35 U.S.C. §103(a) as allegedly being obvious over *Roth*, *Davis*, and *Copple* in view of *Bates*. Claim 36 is rejected under 35 U.S.C. §103(a) as allegedly being obvious over *Roth*, *Davis*, and *Copple* in view of *Tulskie*. Claim 54 is rejected under 35 U.S.C. §103(a) as allegedly being obvious over *Roth*, *Davis*, and *Copple* in view of *Eldering*. Applicants respectfully disagree.

Claims 1-5, 7-9, 31-36, 41-55, and 75-106 were pending when the Office Action was
mailed. Applicants herein amend claims 1, 5, 9, 36, 45, 53, 75, 77, 79-81, 91, 93, 96, and 101-
105; and cancel claim 106, leaving pending in the application claims 1-5, 7-9, 31-36, 41-55, and
75-105. In view of the following remarks, reconsideration of the rejected claims is respectfully
requested.

I. Non-Compliant Amendment

The previous Amendment was deemed to be non-responsive for failing to include a
proper status identifier for each claim. The claims as presented herein recite proper status
identifiers, such that the Amendment should comply with all requirements.

II. Claim 106 is not subject to Double Patenting

Claim 106 is objected to under 37 CFR 1.75 as allegedly being a substantial duplicate of
claim 104. Claim 106 is canceled from the present application such that the objection is moot.

III. Rejections under 35 U.S.C. §§ 102 and 103

The Examiner rejects all of the independent claims over Roth and, alternatively, over a
combination of Roth and Davis.

1. Applicants' Technology

Applicants' claimed technology enables a user to increase overall advertising revenue
collected from on-line display space. Initially, advertisers "specify via an advertising plan the
display space for which the advertiser[s] want[] to bid." (Specification, 10:20-21). "An
advertising plan may specify the identification of a web page or types of web pages, the type of
advertisement (*e.g.*, link or banner advertisement) to be placed on [a] web page, the time period
during which the advertisement can be placed, and a bid amount." (Specification, 6:20-23).
Each time an advertisement is to be placed on a page, a plan is selected from a set of eligible
advertising plans. A strategy of selecting the advertising plan with the highest bid amount each

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time a web page access meets the eligibility of multiple advertising plans may not maximize the overall advertising revenue. (Specification, 10:25-11:2). For example, "if the time period for [a] losing advertising plan expires without all the requested number of web page accesses being satisfied, then it would have increased the overall revenue if that display space had been awarded to the losing adverting plan (assuming that all the requested number for the winning advertising plan would still be satisfied)." (Specification, 11:9-13). "To assist in selecting an advertising plan, the display system may dynamically normalize bid amounts," based on factors such as "actual bid amount and the likelihood that the advertiser will be provided with display space on [a] requested number of web page accesses," and allocate the display space to the advertiser with the highest bid amount. (Specification, 11:13-18). "The highest normalized bid is the bid that is anticipated to lead to the maximum overall revenue." (Specification, 11:18-19).

     2.   <u>Roth</u>

Roth is directed to "a system for providing advertisements from a central server to viewers who access web sites." (Roth, Abstract). In Roth, "[p]roposed bids submitted by different advertisers are evaluated in real time in order to determine which particular advertisement will be displayed to a viewer." (Roth, Abstract). Each time a viewer selects to view a web page with a reference to a web server system, a "view-op," "bidding agents 30 determine if the characteristics of the view-op meet the criteria in the proposed bids and if so they submit bids to bid selection logic." (Roth, 5:20-32). The selection logic "selects the highest bid and therefore an advertisement for display." (Roth, 5:33-37). Furthermore, Roth allows an advertiser to set a maximum bid price and activate a "Minimize Bid" option that causes the system to "try to bid the minimum amount necessary to maintain the level of buying that will ensure the desired number of impressions during the time allotted." (Roth, 8:29-43).

     3.   <u>Davis</u>

Davis is directed to techniques for "enabling information providers to influence a position for a search listing within a search result list." (Davis, Abstract). Davis stores a set of

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information provider accounts having at least one searching listing that includes "a description, a search term comprising one or more keywords, and a bid amount." (Davis, Abstract). When an information provider enters a new bid amount, Davis "compares this bid amount with all other bid amounts for the same search term, and generates a rank value for all search listings having that search term." (Davis, Abstract). "A higher bid...will result in a higher rank value and a more advantageous placement." (Davis, Abstract).

4. Analysis

Claim 1 now recites "selecting...a received bid whose bid amount is not the highest of the bids whose advertisement is eligible to be placed in the display space slot of the web page instance" and "charging the source of the selected bid the amount indicated by the selected bid." Similarly, claim 45 now recites "a component that selects a bid...wherein the selected bid does not have the highest bid amount of those bids whose advertisement is eligible to be displayed in the advertising space slot" and "a component that charges the source of the selected bid the amount indicated by the selected bid." Similarly, claim 91 now recites "identifying advertising plans whose advertisements can be placed on the display space" and "selecting an identified advertising plan...whose bid amount is not the highest bid amount of the identified advertising plans...and charging the source of the selected advertising plan the bid amount associated with the selected advertising plan." Similarly, claim 101 now recites "identifying provided advertising plans whose advertisements are eligible to be placed in the display space" and "selecting an eligible advertising plan...whose amount is lower than the amount of the other advertising plan" and "charging the source of the selected advertising plan the amount of the selected advertising plan." Similarly, claim 102 now recites "generating normalized bid amounts for the provided bids whose advertisements are eligible to be placed on the web page instance" and "placing the advertisement of the bid with the highest normalized bid amount in the display space...wherein the bid with the highest normalized bid is not the bid with the highest bid amount; and charging the source of the bid with the highest normalized bid amount the amount indicated by the bid with the highest normalized bid amount." The Examiner rejects all of these

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claims over Roth and, alternatively, over a combination of Roth and Davis. Neither Roth nor a combination of Roth and Davis disclose these features.

The Examiner relies on Roth as disclosing "an optimization method [col 8 lines 32-40] that attempts to 'maintain the level of buying' to ensure the number of ad impressions is reached during the allotted time period." (Office Action, Page 3). "Roth et al. achieves this by dynamically and artificially adjusting the bid amount upward to help ensure the ad is selected and help reach the optimum level of buying." (Office Action, Page 4). The Examiner takes the position that "[e]ven though the advertiser-submitted bid may be supplemented by the system, the selection of an underachieving ad is taken to be selection of an ad having a low advertiser-submitted bid, regardless of how much the system supplements such bid." (Office Action, Page 16). Applicants herein amend each of the independent claims to indicate that the source of a selected advertisement whose bid amount is not the highest of the bids is charged the amount indicated by the associated bid amount. In contrast to applicants' claimed invention, Roth charges the source of a selected advertisement the amount indicated by a winning bid, which may be different than an advertiser-submitted bid due to "inflat[ion] by the system in order to influence its selection." (Office Action, Page 17). In other words, Roth only selects "an ad having a low advertiser-submitted bid" when a higher amount can be charged for selecting the bid due to the system's adjustment of the bid. Roth does not select a bid whose bid amount is not the highest of the bids whose advertisement is eligible to be placed and charge the source of the bid the amount supplied by the source as recited. Accordingly, claims 1, 45, 91, 101, and 102 are patentable over Roth as are their dependent claims.

Davis similarly fails to disclose selecting a bid whose bid amount is not the highest of the bids whose advertisement is eligible to be placed and charging the source of the bid the amount supplied by the source. In Davis, search results list entries are displayed according to an associated rank value "determined in a direct relationship to the bid amount 358; the higher the big amount, the higher the rank value, and the more advantageous the placement location on the search result list." (Davis, 13:16-20). "Preferably, the rank value is assigned through a process [that]...gathers all search listings that match a particular search term, sorts the search listings in

order from highest to lowest bid amount, and assigns a rank value to each search listing in order.
The highest bid amount receives the highest rank value, proceeding to the lowest bid amount,
which receives the lowest rank value." (Davis, 18:8-17). Once a search listing has been
assigned a rank value and, therefore, assigned to a location on a search result list, it is no longer
eligible to receive another rank value or to be assigned to another location on the search results
list page. Consequently, each time Davis selects a search listing to which to assign a rank value
and, therefore, assigns a search listing to a location on a search result list, Davis selects from the
set of eligible search listings (i.e., the search listings that have not been assigned a rank value)
the search listing with the highest bid amount. Because Davis assigns rank values to search
listings from "highest rank value" to "lowest rank value," Davis assigns each rank value to the
eligible search listing with the highest bid amount. In contrast, at each opportunity to select an
advertisement to display on a page, applicants' claimed technology selects an advertisement
having a bid amount that is not the highest bid amount.

        Each time either Roth or Davis selects an advertisement or search listing to place on a
page, they select the advertisement or listing from the source willing to pay the most. Both Roth
and Davis are directed to techniques for maximizing per impression revenue. Applicants'
claimed invention, on the other hand, seeks to maximize overall revenue using a bid selection
process that does not necessarily maximize per impression revenue. Applicants submit that the
Examiner has provided no basis for one skilled in the art to combine Roth and Davis to
maximize overall revenue using a bid selection process that does not maximize per impression
revenue, and has shown nothing in the art to indicate that a person of ordinary skill in the art
understood at the time of applicants' invention that overall revenue can or should be maximized
using a bid selection process that does not maximize per impression revenue. For the foregoing
reasons, applicants respectfully submit that claims 1, 45, 91, 101, and 102 are patentable over a
combination of Roth and Davis and request that the Examiner reconsider and withdraw these
rejections.

        The other claims recite limitations that are also allowable over the cited references for at
least some of the reasons set forth above, as well as other reasons in their own right. Applicants

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thus respectfully submit that all claims are patentable over the cited references, and request that the rejections be withdrawn.

<h2 style="text-align:center">CONCLUSION</h2>

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,

Jason D. Lohr
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